

**THIRTY-THIRD DAY**

(Thursday, March 8, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

Absent—Excused

Ashley Weinert

A quorum was announced present.

The Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Strauss.

Senator Ashley was granted leave of absence for today on account of important business on motion of Senator Bracewell.

**Reports of Standing Committees**

Senator Carney submitted the following reports:

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 340, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 186, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 251, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 257, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 258, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 69, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 263, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 331, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 143, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 204, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 250, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 44, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Senator Bracewell submitted the following reports:

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 352, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BRACEWELL, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 264, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman

Senator Kelley of Hidalgo submitted the following reports:

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 274, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KELLEY of Hidalgo, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to

whom was referred S. B. No. 259, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KELLEY of Hidalgo, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 224, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KELLEY of Hidalgo, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 279, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KELLEY of Hidalgo, Chairman

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 248, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KELLEY of Hidalgo, Chairman

Senator Phillips submitted the following reports:

Austin, Texas,  
March 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 297, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,  
March 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 195, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that committee substitute in lieu thereof do pass and be printed.

PHILLIPS, Chairman

C. S. S. B. No. 195 was read first time.

Austin, Texas,  
March 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 242, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that committee substitute in lieu thereof do pass and be printed.

PHILLIPS, Chairman

C. S. S. B. No. 242 was read first time.

Austin, Texas,  
March 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 280, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,  
March 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 185, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

PHILLIPS, Chairman

Senator Hardeman submitted the following report:

Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was

referred S. B. No. 2, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman

#### Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read severally the first time and referred to the committees indicated:

By Senator Fuller:

S. B. No. 320, A bill to be entitled "An Act to amend Article 6228d, Title 109, Revised Civil Statutes of Texas, being House Bill No. 778, Chapter 588, page 1174, General Laws enacted by the Fifty-first Legislature at its Regular Session in 1949; providing that members of any retirement, disability and death compensation fund established by any county shall have the right to designate a beneficiary to whom his contribution to such fund, with interest if any thereon, shall be paid in event of death of the member before retirement, allowing revocation and change of designation of beneficiaries; prescribing the conditions upon which such designations may be made; providing for the payment of such contributions and interest in event of such designation, and in case no such designation is made or the beneficiary predeceases the member, and for discharge of liability of the fund and its officers upon such payment, providing the provisions of the Act shall apply to all such retirement, disability and death compensation funds, whether such funds were established prior to the passage of this Act or subsequent to the passage of this Act; repealing all laws in conflict with the provisions of this Act; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Fuller:

S. B. No. 321, A bill to be entitled "An Act authorizing the Commissioners' Courts to regulate the construction of roads or streets in subdivisions situated outside of the boundaries of incorporated towns or cities in counties having a population of not less than one hundred ninety thousand (190,000) nor more than one hundred ninety-seven thousand (197,000) according to the last preceding or any

future Federal Census; authorizing such courts to require a minimum right-of-way for such roads or streets; authorizing such courts to promulgate reasonable specifications for the construction of such roads or streets and drainage of such roads or streets; authorizing such courts to require a bond for the proper construction and maintenance of such roads or streets to be filed with maps or plats of such subdivisions; authorizing such courts to refuse to approve or authorize maps or plats of such subdivisions upon failure to comply with the provisions of this Act; repealing all laws or parts of laws in conflict with the provisions of this Act; providing a saving clause; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senators Parkhouse, Corbin, Nokes and Aikin:

S. B. No. 322, A bill to be entitled "An Act to provide for the creation of a Commission on Uniform State Laws, the appointment of Commissioners thereto, and making an appropriation for the same; and declaring an emergency."

To Committee on State Affairs.

By Senator Russell:

S. B. No. 323, A bill to be entitled "An Act defining a slot machine; providing a penalty for the manufacture, ownership, storing, keeping, sale, renting, leasing, letting on shares, lending or giving away, transportation or possession of a slot machine; authorizing the issuance of a search warrant to search any place where it is alleged a slot machine is stored, kept or possessed; prescribing the procedure to be followed in obtaining and executing the search warrant; providing for the destruction of a slot machine; providing for the confiscation and use of any coins or money found in a slot machine; providing this Act shall be cumulative of all existing laws relating to gaming and to search; providing a savings clause; and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Kelley of Hidalgo:

S. B. No. 324, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 119, Acts of the Regular Session, 47th Legislature, by changing the provisions regarding the Water

Control and Improvement Districts to which said Act applies, and adding a new section to be designated Section 17a, permitting the surrender of districts' bonds in certain circumstances, and declaring an emergency."

To Committee on Water Rights, Irrigation and Drainage.

By Senator Kelley of Hidalgo:

S. B. No. 325, A bill to be entitled "An Act appropriating Fifteen Hundred Dollars (\$1500), for so much thereof as is necessary, to the Judiciary Section-Comptroller's Department of House Bill 320, Chapter 585, Acts of the Fifty-first Legislature, 1949, for the payment of salary due the District Attorney of the Twenty-eighth (28th) and One Hundred and Fifth (105th) Judicial Districts for the period beginning with the effective date of the 1950 Federal Census and ending August 31, 1951; and declaring an emergency."

To Committee on Finance.

By Senator McDonald:

S. B. No. 326, A bill to be entitled "An Act providing for the creation, government, operation and maintenance of fire protection districts for the conservation of natural resources and properties within the State of Texas, outside of incorporated cities, towns and villages, and declaring an emergency."

To Committee on State Affairs.

By Senator McDonald:

S. B. No. 327, A bill to be entitled "An Act making an appropriation to the Texas State Parks Board of the sum of One Hundred Thousand (\$100,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to provide for separate, equal facilities for Negroes in the State Parks System of Texas; and declaring an emergency."

To Committee on Finance.

By Senator Nokes:

S. B. No. 328, A bill to be entitled "An Act amending paragraph 1(b) of Section 1 of House Bill 25, Chapter 290, Acts of the Forty-seventh Legislature, Regular Session, 1941, codified as Section 1b of Article 911b of Vernon's Texas Civil Statutes, so as to more clearly define private motor vehicle owners; providing that any person who transports goods, wares,

or merchandise individually and not in association or combination so as to be excluded from the definition of "motor carrier" or "contract carrier" shall be deemed a private motor vehicle owner; and declaring an emergency."

To Committee on State Highways and Motor Traffic.

By Senator Vick:

S. B. No. 329, A bill to be entitled "An Act requiring all railroad companies or receivers of any railroad companies to equip cabooses or other cars used as cabooses with electric lights; prescribing a penalty for violation of Act; providing that if any section, sentence, or clause shall be declared invalid by the courts, that other sections or parts of this Act shall not be affected thereby; and declaring an emergency."

To Committee on State Highways and Motor Traffic.

By Senator Vick:

S. B. No. 330, A bill to be entitled "An Act providing for the transfer to the State Department of Public Welfare the control and management of the Waco State Home, Waco, Texas; providing for the transfer of personnel of the institution and authorizing the employment of such other personnel as is required; transferring personal property from the Board for Texas State Hospitals and Special Schools to the State Department of Public Welfare; providing for a training program for the children in the institution; providing for an appropriation for administrative and contingent expenses for the remainder of the fiscal year ending August 31, 1951; transferring all allocations and appropriations for and on behalf of the institution to the State Department of Public Welfare; providing for the State Department of Public Welfare to share in the "State Hospital Fund" for the benefit of the Waco State Home; providing for negotiation of contracts with the United States Government; providing an effective date of the transfer; providing a repealing clause, a saving clause, and declaring an emergency."

To Committee on State Affairs.

By Senator Aikin:

S. B. No. 331, A bill to be entitled "An Act creating a Texas Department of Civil Air Patrol; providing

for the use of and purpose of the Texas Wing, Civil Air Patrol; and declaring an emergency."

To Committee on Aeronautics.

By Senator Carney:

S. B. No. 332, A bill to be entitled "An Act amending Section 2 of House Bill 33, Chapter 99, Acts of the Fifty-first Legislature, Regular Session, 1949, providing for the retirement of commissioners, judges, and justices of appellate courts and judges of district courts and criminal district courts of this State so as to require commissioners, judges and justices of appellate courts and judges of district and criminal district courts who have reached retirement age and are otherwise eligible for retirement, to retire within thirty (30) days after the effective date of this Act; requiring all such judges and commissioners who become eligible for retirement after the effective date of this Act to retire within thirty (30) days after so becoming eligible; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Carney:

S. B. No. 333, A bill to be entitled "An Act repealing Senate Bill 33, Chapter 15, Acts of the Forty-sixth Legislature, Regular Session, 1939, codified as Article 7363a of Vernon's Texas Civil Statutes; and declaring an emergency."

To Committee on State Affairs.

By Senator Kelly of Tarrant:

S. B. No. 334, A bill to be entitled "An Act amending Article 3167, Revised Civil Statutes of Texas, 1925, relative to any political party desiring to elect delegates to a National Convention so as to provide for setting the hour and place of County and Precinct Conventions and notice of the same; providing for the method of conducting County and Precinct Conventions and making, filing and delivering the returns of such conventions; providing the County Conventions shall elect delegates to the State Convention and transact such other business as may properly come before them; providing for delivery of a list of delegates and copies of resolutions to the State Convention by the Secretary of State and such list shall constitute the temporary roll of the State Convention; providing for proxies; providing for setting the hour and place

of the State Convention and for notice of the same; providing for a penalty; providing for a savings clause; providing for a repealing clause; and declaring an emergency."

To Committee on Privileges and Elections.

By Senator Kelly of Tarrant:

S. B. No. 335, A bill to be entitled "An Act amending Article 3134, Revised Civil Statutes of Texas, 1925, so as to provide for the setting of the hour and place of County and Precinct Conventions and notice of same; providing for the returns of County and Precinct Conventions and for the filing and delivery of such returns; providing that no person shall be allowed to vote a proxy unless he be a resident of the county from which he offers to vote and no proxy shall be recognized where a delegate or alternate from the county is present; amending Article 3136, Revised Civil Statutes of Texas, 1925, as amended, so as to provide that the State Executive Committee shall fix the hour of the State Convention and give notice of the hour and place of holding same; amending Article 3137, Revised Civil Statutes of Texas, 1925, as amended, so as to provide that the State Executive Committee shall prepare a complete list of the delegates elected to the State Convention from each county as certified to the Secretary of State by the Permanent Chairman of each County Convention; amending Article 3139, Revised Civil Statutes of Texas, 1925, as amended, so as to change the date on which the State Convention is held in order to conform to the other statutes on this subject; and providing further that at any meeting of the State Executive Committee a person cannot hold a proxy or participate in such meeting unless he or she is a resident from the same senatorial district as the member giving proxy and no person shall be permitted to hold or vote more than one proxy; providing for penalty; providing for a savings clause; providing for a repealing clause; and declaring an emergency."

To Committee on Privileges and Elections.

By Senator Kelly of Tarrant:

S. B. No. 336, A bill to be entitled "An Act amending Article 2332, Revised Civil Statutes of Texas for 1925 (a portion of Acts 1943, 48th Legislature, p. 300, Chapter 194), giving

authority to any probation officer or peace officer to take into custody any child whose surroundings are such as to endanger his health, welfare or morals in connection with the law pertaining to the authority of Juvenile Courts in handling dependent and neglected children; providing a savings clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Strauss:

S. B. No. 337, A bill to be entitled "An Act providing that all funds on hand on September 1, 1951, derived from State taxes heretofore donated and granted to Lavaca County Flood Control District shall be retained by said District to be used for flood control purposes in said District; and declaring an emergency."

To Committee on State Affairs.

By Senator Strauss:

S. B. No. 338, A bill to be entitled "An Act to amend Articles 1524 (a), Section 7, Vernon's Texas Civil Statutes, as amended by Acts 1945, 49th Legislature, page 263, Chapter 194; and declaring an emergency."

To Committee on Banking.

By Senators Strauss and Kelly of Tarrant:

S. B. No. 339, A bill to be entitled "An Act relating to consumer financing and fixing the charges that may be made in connection therewith; providing for discount; authorizing the issuance and sale of investment certificates; providing for supervision by the Department of Banking; specifying what corporations may qualify; and declaring an emergency."

To Committee on Banking.

By Senator Bracewell:

S. B. No. 340, A bill to be entitled "An Act requiring the district attorney or criminal district attorney in all counties having a population of eight hundred thousand (800,000) or more inhabitants, according to the last preceding Federal Census, to represent the county and all political subdivisions of the county in all legal matters; prohibiting the Commissioners Court from expending moneys for additional legal services and making discretionary the authority of the Commissioners Court upon recommendation of the district attorney or the criminal district attorney to em-

ploy legal assistance on a temporary basis when requested in writing; providing a repealing clause; and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Bracewell:

S. B. No. 341, A bill to be entitled "An Act amending Article 5160, entitled Bond for Wages, providing for the payment of claims of those who furnish to contractors or subcontractors equipment on a rental basis or services in the construction or repair of any public building, eliminating therefrom the requirement for filing an itemized statement of claim with the County Clerk; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Bracewell:

S. B. No. 342, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office to lease to George A. Andlauer, his heirs and assigns a spoil bank, known as Red Fish Reef; prescribing the terms and conditions of said lease; providing for the use of the spoil bank, authorizing the encumbrance of the lease; reserving the minerals to the State of Texas; providing for forfeiture and reinstatement of the lease; providing for the removal of all improvements made thereon; and declaring an emergency."

To Committee on State Affairs.

By Senator Bracewell:

S. B. No. 343, A bill to be entitled "An Act amending Chapter 259 of the Acts of the Regular Session of the 51st Legislature, 1949, by providing a new section to be called Section 1A; providing for the inclusion of additional persons and interests within pooled units; providing for the enlargement of pooled units to include additional lands; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

By Senator Wagon seller:

S. B. No. 344, A bill to be entitled "An Act to amend Subsection (19) of Section 1 and paragraph (b) of Subsection 2 of Section 5 of Senate Bill 47, Chapter 470, Acts of the Forty-fifth Legislature, Regular Session, 1937, as amended by House Bill

1016, Chapter 376, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Senate Bill 333, Chapter 149, Acts of the Fifty-first Legislature, Regular Session, 1949, codified as Article 2922-1, Section 1(19) and Article 2922-1, Section 5, Subsection 2, paragraph (b) of Vernon's Texas Civil Statutes, regulating retirement compensation under the Teacher Retirement System of Texas; and declaring an emergency."

To Committee on Educational Affairs.

By Senator Hazlewood:

S. B. No. 345, A bill to be entitled "An Act amending Sections 2, 3, 4, 6, 7, 8, 9, 12, 13 and 14 of House Bill No. 250, Chapter 426, Acts of the Fifty-first Legislature, Regular Session, 1949, creating a Court of Domestic Relations for Potter County, Texas; fixing its jurisdiction; conforming the jurisdiction of other courts thereto; providing the manner of selection, tenure and compensation of the judge and the other officers of said court; providing the manner of and grounds for removal of the judge and clerk of said court; providing the procedure of said court; providing for the services of certain county and district officers to said court; providing a savings clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Hazlewood:

S. B. No. 346, A bill to be entitled "An Act amending Article 667-10-1/2, Penal Code, Vernon's Texas Statutes, Texas Liquor Control Act, by adding a new section at the end thereof, providing that County Commissioners Courts may prohibit the sale of beer after 1:00 o'clock a. m., on Sunday, in all areas outside the corporate limits of all cities within a county wherein the governing authority of the largest city in said county has by authority of law prohibited said sale of beer; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Hazlewood:

S. B. No. 347, A bill to be entitled "An Act providing for the majority of the resident citizens in a designated area of a school district to petition the County School Board of School Trustees of the County in which such resident citizens reside to

detach a designated area from one School District and to attach such territory for school purposes to any other School District in or outside of the County to which such territory in which such resident citizens reside desire to be attached and making it mandatory upon the County School Board of School Trustees to so detach such lands and territory from the one district and to attach the same to such other district; and declaring an emergency."

To Committee on Educational Affairs.

By Senator Hazlewood:

S. B. No. 348, A bill to be entitled "An Act amending Section 3 of Article 6008, Title 102, Vernon's Civil Statutes (Vernon, 1949), by providing that the term 'waste' as therein defined shall include economic waste, and by adding a new subsection thereto to be known as subsection (n) providing that waste shall include the production or taking of gas from any gas well in this State, located in a common reservoir from which both sweet and sour gas are produced, or located in a common reservoir underlying a surface area of at least three hundred thousand (300,000) acres, or the sale, purchase or use of such gas before, during or at the conclusion of gathering, at a price less than the minimum prescribed, except gas used for certain specified purposes, and except gas produced, taken, sold, purchased or used at a lesser price pursuant to a finding and order of the Railroad Commission of Texas after due notice and hearing that the production, taking, sale, purchase or use in special cases at a lesser price will not constitute waste; prescribing the minimum price for such gas, before or after processing for liquid hydrocarbons, at ten cents (10c) per thousand (1,000) cubic feet for gas having average heating value of one thousand (1,000) or more British thermal units with proportionate lower minimum prices for gas of less average heating value; defining the term 'at a price'; providing the method for determining the average heating value of British thermal units per cubic foot of gas; providing the method of determining the cost of delivery of gas from the place of production and from the plant in which liquid hydrocarbons are extracted; defining 'gathering' of gas; repealing all laws in conflict with the



Act; providing a saving or severability clause; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

By Senator Hazlewood:

S. B. No. 349, A bill to be entitled "An Act amending Section 3 of Art. 6008, Title 102, Vernon's Civil Statutes (Vernon, 1949), by providing that the term 'waste' as therein defined shall include economic waste, and by adding a new subsection thereto to be known as subsection (n) providing that waste shall include the production or taking of gas from any gas well in this State, or the sale, purchase or use of such gas before, during or at the conclusion of gathering, at a price less than the minimum prescribed, except gas used for certain specified purposes, and except gas produced, taken, sold, purchased or used at a lesser price pursuant to a finding and order of the Railroad Commission of Texas after due notice and hearing that the production, taking, sale, purchase or use in special cases at a lesser price will not constitute waste; prescribing the minimum price for such gas, before or after processing for liquid hydrocarbons, at ten cents (10c) per thousand (1,000) cubic feet for gas having an average heating value of one thousand (1,000) or more British thermal units with proportionate lower minimum prices for gas of less average heating value; defining the term 'at a price'; providing the method for determining the average heating value of British thermal units per cubic foot of gas; providing the method of determining the cost of delivery of gas from the place of production and from the plant in which liquid hydrocarbons are extracted; defining 'gathering' of gas; repealing all laws in conflict with the Act; providing a saving or severability clause; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

By Senator Hazlewood:

S. B. No. 350, A bill to be entitled "An Act amending Section 3 of Article 6008, Title 102, Vernon's Civil Statutes (Vernon, 1949), by providing that the term 'waste' as therein defined shall include economic waste, and by adding a new subsection thereto to be known as subsection (n) providing that waste shall include the production, taking, sale or

purchase of gas from gas wells or gas fields in this State at a price or under conditions determined by the Railroad Commission to constitute waste, repealing all laws in conflict with the Act, providing a saving or severability clause; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

By Senator Bell:

S. B. No. 351, A bill to be entitled "An Act to amend the subject matter embraced in Section 3, Section 9, Section 10, Section 11, Section 14, Section 17, Section 18 and Section 23 of the Veterans' Land Board — Veterans' Land Fund Act being Chapter 318, Acts of the Regular Session of the 51st Legislature, 1949; providing for the issuance of an additional Seventy-five Million Dollars (\$75,000,000.00) in bonds to mature not sooner than June 1, 1960, providing that for each year until December 1, 1959, sufficient money shall be set aside to pay the interest and principal due on all bonds theretofore issued and outstanding, and after December 1, 1959, all moneys received or so much thereof as may be necessary, shall be used to pay the principal and interest on all outstanding bonds; providing that until December 1, 1959, the Veterans' Land Fund, except a sufficient amount to pay interest and principal due on outstanding bonds, shall be used by the Board for the purpose of purchasing land to be sold to the veterans; providing that the Board may purchase land with one-half of the mineral estate outstanding, if same was outstanding on June 6, 1949, and purchase land with a 1/16 royalty outstanding which has become outstanding after June 6, 1949; defining 'veteran' and the phrases 'Texas veteran of the present war or wars, commonly known as World War II' and 'Texas veterans who served or serve in the Korean War in the Pacific Theater,' providing that when the entire indebtedness due the State on land sold to the veteran is paid, the Chairman of the Veterans' Land Board shall execute a deed; providing that one-half of all royalties received and one-half of all bonus money and one-half of all delay rentals paid under a mineral lease shall be paid by the owner of the mineral lease to the Veterans' Land Board to be applied on the debt owed by the veteran on the land purchased; providing that all lands of

the Veterans' Land Fund remaining unsold on December 1, 1959, may be sold in such manner as may then be prescribed by law"

To Committee on State Affairs.

By Senator Hudson:

S. B. No. 352, A bill to be entitled "An Act amending Section 2 of Article 2368a of Vernon's Civil Statutes of Texas, being Section 2, Acts 1931, 42nd Legislature, page 269, Chapter 163, as amended by House Bill No. 82, Acts of the 50th Legislature, 1947, Chapter 173, page 283, as further amended by Senate Bill No. 436, Acts of the 51st Legislature, 1949, and S. B. No. 502, Acts of the 51st Legislature, 1949, and providing certain exceptions thereto, repealing all General and Special Laws in conflict, except House Bill No. 106 enacted by the 51st Legislature, 1949; providing that Section 5 and Section 6 of said Chapter 163 shall not be affected hereby except as limited by said House Bill No. 106; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Tynan:

S. B. No. 353, A bill to be entitled "An Act to provide for the clearance of slum and blighted areas for development or redevelopment in accordance with plans approved by the governing body of cities or towns; to create for this purpose a public body corporate and politic, to be known as the slum clearance and redevelopment authority in each city and town of this State; to define the duties, liabilities, exemptions and powers of such authorities, including the power to acquire and dispose of property, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure federal aid or contributions and comply with conditions imposed in connection therewith; to provide that slum clearance and redevelopment authorities, their property and securities shall be exempt from taxation and assessment; to authorize either the transaction of business by such authority or the exercise of the duties and powers of such authority by the city or town itself or by a housing authority, upon approval by the governing body of the city or town; to authorize the creation of such authorities in regions comprising cooperating cities and towns; to authorize the

acquisition and development of vacant areas in connection with the redevelopment of slum and blighted areas, upon approval of the governing body of the city or town; to authorize public bodies to furnish funds, services, facilities, and property in aid of slum clearance and redevelopment projects hereunder; to authorize cities and town to obtain funds therefor by the issuance of obligations, by taxation or otherwise; to provide that obligations issued for slum clearance or redevelopment projects hereunder shall be legal investments; and declaring an emergency."

To Committee on State Affairs.

By Senator Hardeman:

S. B. No. 354, A bill to be entitled "An Act creating Boards for lease of lands owned by any Department, Board or Agency of the State; providing the membership of such Boards; providing the title for such Boards; providing for a record of the proceedings of such Boards; providing for the selection of a Secretary to each of such Boards; providing for the leasing of lands now owned by or lands that may hereafter be owned by, or held in trust for the use and benefit of State Departments, Agencies, or Boards; providing the method of advertisement of lease sales and method of bidding and the time of opening of bids; providing for the minimum royalty and rental payments in such bids and the method the Boards may use for offering their lands for lease and the acceptance or rejection of bids; providing for the issuance of leases by the Commissioner of the General Land Office and the showing of the acceptance or rejection of bids by the minutes of the appropriate Board; providing for the primary and extended term of leases; providing that operations under such leases shall be subject to all laws of the State of Texas and valid orders made by the Railroad Commission or other regulatory authority and such other regulations as the appropriate Board may adopt; providing for rental and royalty payments and the necessary reports by the lessee; providing for a first lien to secure payment of money due under a lease; providing for development of leases and the drilling of offset wells to prevent drainage; providing for assignment and relinquishment of leases; providing for forfeiture of leases by the Commissioner of the General

Land Office and the reinstatement thereof; providing for the issuance of permits for geological and geophysical and other surveys and investigations; providing for the filing of all records in the General Land Office; repealing all laws and parts of laws in conflict herewith; providing a savings and severability clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Hardeman:

S. B. No. 355, A bill to be entitled "An Act providing that any school district of this State, territory of which is included within the boundaries of a city for city purposes only and in which included territory a public transportation service of such city has been routed or established after the beginning of any current scholastic year and after the school transportation program for the district has been approved in accordance with Senate Bill 116, Acts of the Fifty-first Legislature, Regular Session, 1950, Chapter 334, shall be eligible for State transportation aid for that scholastic year when its territory was so included; providing that the purpose of this Act is to except such a district from the provisions of the fourth paragraph of Section 2b of Article V of Senate Bill 116, supra, so as to provide for their eligibility for transportation aid; providing this Act shall be operative beginning with the 1950-1951 scholastic year; and declaring an emergency."

To Committee on Educational Affairs.

By Senator Carney:

S. B. No. 356, A bill to be entitled "An Act making an emergency appropriation to the Supreme Court of Texas for the operation and maintenance of the Court during the remainder of the fiscal year ending August 31, 1951, and declaring an emergency."

To Committee on Finance.

By Senator McDonald:

S. B. No. 357, A bill to be entitled "An Act amending Articles 3874, 3875, 3876, 3877, 3879, and Article 3880 as amended by Chapter 374, Regular Session, 50th Legislature of Texas, page 759, of the Revised Civil Statutes of Texas, 1925, and Articles

1491, 1492 and 1496, of the Penal Code of Texas, 1925; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Agricultural Affairs.

By Senator Tynan:

S. B. No. 358, A bill to be entitled "An Act amending Acts of 1931, 42nd Legislature, page 503, Chapter 280, codified as Article 6879a, Vernon's Annotated Civil Statutes of 1925; providing for the number of Deputy Constables which may be appointed in certain Justice Precincts of the State of Texas, and in certain counties thereof, where said Justice Precincts shall contain cities of certain populations; providing for the method and manner of appointment and confirmation by the Commissioners' Courts of such counties of such Deputy Constables, and additional Deputy Constables; providing for the repeal of legislative acts in conflict herewith; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Hazlewood:

S. J. R. No. 15, Proposing an amendment to the Constitution of the State of Texas, amending Article III by amending Sections 2, 5, 6, 7, 24, 26-a, and 33, and adding Section 24-a.

To Committee on Constitutional Amendments.

By Senator Bracewell:

S. J. R. No. 16, Proposing an amendment to Section 7 of Article V of the Constitution of the State of Texas so as to provide for apportionment of the State of Texas into judicial districts by the Legislature at its first regular session after the adoption of this amendment and thereafter at each regular session after the publication of the United States decennial census; creating the Judicial Apportionment Commission to apportion the State into judicial districts if the Legislature fails to make such apportionment; providing for the submission of the proposed amendment to the qualified electorate of this State; providing for proclamation and publication by the Governor.

To Committee on Constitutional Amendments.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
March 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 25, A bill to be entitled "An Act to prevent the inundation or forced relocation, partially or wholly, of cities and towns incorporated for more than ten (10) years without the consent of the majority of the qualified property taxpaying electors thereof; limiting the authority of the State Board of Water Engineers to grant permits for the construction, enlargement or extension of dams, lakes, reservoirs or other facilities upon any natural stream, watercourse, or watershed for the diversion, impounding or storage of public waters where such construction, enlargement or extension would inundate or cause to be inundated or require the relocation of any incorporated city or town incorporated for more than ten (10) years or any portion thereof; prohibiting the granting of permits for the construction, enlargement or extension of such dams, lakes, reservoirs or other facilities unless approved by the majority of the qualified property taxpaying electors of such cities or towns incorporated for more than ten (10) years or any portion thereof; providing for the holding of elections and for the cost thereof; prohibiting the holding of an election on the same proposition within five (5) years from the date of a previous election; limiting the application of this act; providing for severability; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 199, A bill to be entitled "An Act regulating the taking of fish in Houston County, Texas, with exception; providing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 313, A bill to be entitled "An Act to provide a closed season on wild turkey in Fort Bend County for a period of five (5) years; prescribing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 347, A bill to be entitled "An Act amending Chapter 355, Acts of 1945, 49th Legislature, Regular Session, as amended by Chapter 457, Acts of 1947, 50th Legislature, Regular Session, so as to authorize Dallas County Flood Control District to issue bonds, and declaring an emergency."

H. B. No. 319, A bill to be entitled "An Act authorizing board of trustees of rural high school districts in counties or subject to the jurisdiction of counties having a population of not less than three hundred and fifty thousand (350,000) and not more than five hundred thousand (500,000) according to the last preceding Federal Census, to have and appoint an assessor-collector of taxes for their district and such deputy tax assessor-collectors as it deems necessary; providing for the compensation of same; authorizing the assessment and collection of taxes of such district by such assessor-collectors and the equalization of such taxes; providing for the bonding of the tax assessor-collector; providing for the application of laws governing the assessment and collection of taxes in independent school districts insofar as the same be not inconsistent with the provisions of this Act; providing this Act shall not be exclusive but cumulative of existing laws on the same subject; and declaring an emergency."

H. B. No. 296, A bill to be entitled "An Act validating, ratifying, approving and confirming certain proceedings and bonds heretofore voted and issued or authorized by any fresh water supply district; validating the organization of fresh water supply districts; and declaring an emergency."

H. B. No. 293, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Dickens County, Texas, and to conform the jurisdiction of the district court of such county to such change; to preserve the jurisdiction and power of the County Court of Dickens County, Texas, over certain final judgments rendered prior to the passage of this Act; to require the county clerk of such county to transmit all papers in pending civil and criminal cases to the district court of said county; to continue in effect the filing date of papers previously filed in the county court in

said pending cases; to fix fees that the district clerk of such county will be authorized to charge in connection with filing all papers so transmitted to him; to provide for the County Attorney of Dickens County, Texas, to represent the State in misdemeanor cases in the District Court and fixing fees; and declaring an emergency."

H. B. No. 401, A bill to be entitled "An Act amending Article 324 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, as amended by House Bill No. 222, Chapter 254, Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended by Chapter 137, Section 1, of the General Laws of the Regular Session of the Forty-second Legislature, Acts of 1931, and as further amended by House Bill No. 335, Chapter 215, Acts of the Regular Session of the Forty-seventh Legislature of Texas, and as further amended by House Bill No. 76, Chapter 38, Acts of the Regular Session of the Fiftieth Legislature, relating to the appointment of Assistant District Attorneys in any Judicial District in this State consisting of three (3) or more counties and in which there is situated a city of not less than fifty thousand (50,000) people nor more than sixty thousand (60,000) people according to the last preceding Federal Census; fixing the salary of said Assistant District Attorney, to be paid by the county in which said city is located; providing for the appointment of a special investigator to be paid by the county in which said city is located; fixing the salary of said special investigator; providing for the appointment of a stenographer by said District Attorney; fixing the salary of said stenographer to be paid by the county in which said city is located; providing this Act shall not be construed as repealing any existing Statute but shall be cumulative thereof and cumulative of all laws not in conflict with provisions hereof; and declaring an emergency."

H. B. No. 251, A bill to be entitled "An Act providing for validating the appointment of guardians heretofore appointed upon citations or notices not directed to the sheriff or any constable of the county in which proceedings are instituted but con-

forming to the other requirements of Article 4114 of Title 69 of the Revised Civil Statutes of Texas, Revision of 1925, both before and after the Amendment of 1941, providing that this Act shall not apply in certain cases, and declaring an emergency."

H. B. No. 272, A bill to be entitled "An Act amending Article 1106, Chapter 11 of the Penal Code of Texas, by adding thereto a new paragraph to be numbered paragraph (c) providing that drip gasoline extracted or expelled from natural gas pipe lines shall be labeled in plain, legible lettering as 'Drip Gasoline' wherever sold or offered for sale or use in motor vehicles on the highways in Texas; containing a saving clause; repealing conflicting laws and declaring an emergency."

H. B. No. 266, A bill to be entitled "An Act to amend House Bill No. 631, Chapter 455, Acts of the 50th Legislature, Regular Session, 1947, now appearing as Article 3883, applying to counties having a population of not less than one hundred and forty-five thousand (145,000) and not more than two hundred and fifty thousand (250,000) inhabitants according to the last preceding Federal census; providing that the County Judge, Sheriff, District Attorney or Criminal District Attorney, County Attorney, District Clerk, County Clerk and Assessor and Collector of Taxes shall receive a salary of not less than Seven Thousand Four Hundred Dollars (\$7,400) per annum from such counties: Providing that the Commissioners Court is authorized, when in its judgment the financial condition of the county and the needs of the deputies, assistants and clerks of any district, county, or precinct officer justify the increase, to enter an order increasing the compensation of such deputy, assistant or clerk not to exceed twenty per cent (20%) of the sum allowed for the fiscal year 1946; providing that the Commissioners Court of such county shall amend the budget to provide sufficient funds to pay the additional compensation; providing that this Act is not intended as repealing any law now on the Statute books except those in conflict herewith, and to the extent of the conflict only, but in other respects shall be construed as being cumulative law; and declaring an emergency."

H. B. No. 235, A bill to be entitled "An Act providing that whenever bonds are hereafter voted and issued by school districts for the purchase, construction, repair and equipment of public free school buildings within the limits of such districts and the purchase of necessary sites therefor, the bond proceeds may be used to pay the cost of acquiring, laying, and installing pipes or lines to connect with the water, sewer, or gas lines of an incorporated city or town or other municipal corporation, or private utility company, so that the school district may afford its public free school buildings of the water, sewer, or gas services offered by such city, town, or other municipal corporation, or private utility company; and declaring an emergency."

H. B. No. 242, A bill to be entitled "An Act to amend Article 6205, Vernon's Civil Statutes, Revised, so as to provide for the payment of pensions to those widows who have not previously received a petition because of their birth date or the number of years which they were married to a Confederate soldier or sailor; and declaring an emergency."

H. B. No. 292, A bill to be entitled "An Act validating, ratifying, approving and confirming certain proceedings and bonds heretofore voted and issued or authorized by any water control and improvement district validating the organization of water control and improvement districts; and declaring an emergency."

H. B. No. 370, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, and Section 8 of House Bill 53, Chapter 432, Acts of the Forty-fourth Legislature, Second Called Session, 1935, codified as Article 2783c of Vernon's Texas Civil Statutes, so as to make the provisions of said House Bill 53, Chapter 432, applicable to any independent school district which is a municipally assumed or controlled independent school district; conferring upon separated districts all the powers conferred upon independent school, etc.; and declaring an emergency."

H. B. No. 253, A bill to be entitled "An Act authorizing Road District Number 4 of Nueces County to purchase, own, operate, maintain, re-

pair and improve the existing causeway, bridges, and ferries between the City of Aransas Pass and the City of Port Aransas and to pay the cost of acquiring, repairing and improving same from the proceeds of bonds heretofore or hereafter voted and issued under Section 52, Article III of the Constitution; vesting the management and control of the causeway, bridges, and ferries in the Commissioners' Court of Nueces County and requiring said Court to charge and collect fees, charges, and tolls for the use of same sufficient to pay the operation and maintenance costs and to pay any revenue bonds hereafter issued; providing for the keeping of and accounting for said funds; authorizing the Commissioners' Court to issue revenue bonds payable from the income of the causeway, bridges, and ferries and fixing the terms thereof; validating the creation of said Road District Number 4 and all proceedings had in connection with road bonds of said district; authorizing the Commissioners' Court to enter into any agreement with the State Highway Commission; providing a saving clause; and declaring an emergency."

S. B. No. 126, A bill to be entitled "An Act enabling the Commissioners' Courts of the Counties having a population of 40,083 or more inhabitants according to the last preceding Federal census, and containing therein a city of 21,000 or more inhabitants according to the last preceding Federal census, and in which counties the County Attorney performs the duties of the District Attorney, to authorize the County Attorney to employ one investigator and granting to the Commissioners' Court of such counties the authority to fix the salary of such investigator at any sum not less than Twenty-four Hundred (\$2,400.00) Dollars per year and not more than Thirty-six Hundred (\$3,600.00) Dollars per year, payable in twelve (12) monthly or twenty-four (24) semi-monthly equal installments either from the Jury Fund of such counties or from the Officers' Salary Fund of such counties or depending upon which fund the Commissioners' Court shall select from time to time and further providing that the Commissioners' Court of such counties may authorize the payment out of the General Funds of such counties any sum of money not to exceed Seventy-five (\$75.00) Dollars per month for

the actual expense and maintenance of an automobile for such investigator, etc.; and declaring an emergency."

H. B. No. 264, A bill to be entitled "An Act to authorize the County Tax Collectors of all counties having a population of five hundred thousand (500,000) or more, according to the last preceding Federal census, or any future Federal census, to cause to be compiled a delinquent tax record of delinquent taxes not barred, where such county has as many as two (2) years delinquency, and the compiled delinquent records shall be examined by the Commissioners Court and the Comptroller or governing body; the payment for the compilation of such delinquent tax records shall be authorized at actual cost to the Tax Collector, proportionately from each the State and county taxes, or municipal first collected from such record, such cost in no case to exceed a sum equal to eight cents (8c) per item or written line on the original copy of such record, and in no instance is any compiling cost to be charged to the taxpayer; etc.; and declaring an emergency."

H. B. No. 269, A bill to be entitled "An Act relating to the provision of office and working space for State departments, agencies, officers, and employees; creating the State of Texas Public Building Commission, composed of the Governor, the Attorney General, and the Chairman of the State Board of Control and providing the powers and duties of said Commission; authorizing the Commission to construct and equip certain buildings on certain properties; authorizing the issuance of revenue bonds in payment thereof and the fixing of rentals and charges for the use of such buildings to pay the requirements of the bonds and of the bond proceedings; authorizing the Commission to enter into contracts or agreements pertaining to the use, occupancy, rentals, and charges with respect to the buildings; containing certain conditions and provisions relating to said bonds; authorizing the issuance of refunding bonds; authorizing the State Board of Control to enter into contracts or agreements with respect to occupancy of the buildings by the State departments, agencies, officers, and employees and to pay rentals and charges with available funds; providing that the said Board shall include in budget

recommendations to the Legislature a summary of amounts that it recommends be appropriated for rentals and charges and providing that any appropriation therefor shall be to said Board; providing that title to said buildings shall vest in the State of Texas upon the payment of all the bonds and interest thereon or upon the deposit of sufficient funds to pay all bond requirements to maturity and providing that the Commission shall cease to exist upon the payment of all bonds and interest; authorizing the Board of Control to dismantle and raze a building and to dispose of unneeded equipment and materials contained therein; authorizing the Commission and the Commissioner of the General Land Office to enter into a lease or leases whereby the State leases to the Commission certain lands and providing certain conditions relating thereto; authorizing the Board of Control to repair and recondition certain quarters, when vacated, now occupied by certain State agencies, for use as office space and committee rooms for members of the Legislature; providing a savings clause, and declaring an emergency."

H. B. No. 38, A bill to be entitled "An Act amending Article 4810, Chapter 7, Title 78, of the Revised Civil Statutes of Texas of 1925, relating to contingency reserves of mutual, level premium legal reserve life insurance companies organized under the provisions of Chapter 7, Title 78, Revised Civil Statutes of Texas of 1925; giving to the Board of Insurance Commissioners authority to issue appropriate orders under this Act; and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act authorizing the Commissioners' Court of any county which has or may hereafter provide for exhibits or the erection of certain buildings or improvements, to enter into contracts for conducting, maintenance, use, operation, management and lease thereof on such terms as may be agreeable to the court, permitting the use thereof for any useful public purpose beneficial to the county and its citizens; authorizing the Commissioners' Court to determine and provide for the manner in which the income and revenue derived from the operation thereof shall be used; and declaring an emergency."

H. B. No. 273, A bill to be entitled "An Act amending Article 6243f of Chapter 2, Title 109, of the Revised Civil Statutes of the State of Texas, as adopted in 1941, 47th Legislature, page 134, Chapter 105, relating to pensions for policemen, firemen and fire alarm operators in cities having population of two hundred thousand (200,000) to two hundred ninety-three thousand (293,000); providing for a Board of Trustees; the powers and duties of the board; membership; contributions to fund and deductions from wages; meetings, disbursements and records; custody of fund; who may share in fund; retirement pension; certificate of retirement; retirement when disabled; death benefits to widow and children; death benefits to children under 17, remarriage of widow and marriage after retirement; death benefits to dependent father and mother and investigations; applications and hearings; medical examinations; public funds and parking meter funds; reserve retirement fund; awards exempt; act as of essence of employment contract; vested rights; deficiency, payment by city; persons included; accounts and partial invalidity; by changing the provisions of said law so that the same will provide for, govern and control pensions for policemen, firemen and fire alarm operators in all incorporated cities containing more than three hundred and fifty thousand (350,000) inhabitants and less than four hundred and thirty thousand (430,000) inhabitants according to the last preceding Federal census, and all future Federal censuses, thereby changing the population brackets of cities to which said pension law shall apply; by amending Section 1 of said Article so that the grade of firemen eligible to serve upon said Board of Trustees shall be changed from below Captain to below that of District Chief; by amending Section 7 of said Article thereby changing the manner, method and requirements of eligibility and participation in said pension fund, also providing for members in military service and written notice of the contents of said section and its subdivisions; by amending Section 8 by eliminating the maximum age requirement for retirement pension, and governing eligibility by time of service without age restrictions and allowing credit for time spent in service of armed

forces of the United States, and providing for retirement and fixing benefits upon completion of twenty (20), twenty-five (25), and thirty (30) years of service; by eliminating the restriction, 'directly in line of duty' from Section 10 of said Article; by amending Section 11 of said Article by eliminating 'from disease contracted or injury received, directly while in line of duty,' and also to increase death benefits to widows where there are no children from one-third (1/3) to one-half (1/2) of current base pay; providing that nothing herein shall repeal or change Article 6243f, except as herein provided; and providing that this Act shall be cumulative of and in addition to the provisions of Article 6243f; repealing all laws in conflict herewith; providing a severability and savings clause; and declaring an emergency."

H. B. No. 300, A bill to be entitled "An Act amending Section 24 of House Bill 46, Chapter 340, Acts of the Forty-ninth Legislature, Regular Session, 1945, relating to the location of cemeteries so as to permit the location of cemeteries within certain areas of counties having a population of over seven hundred thousand (700,000) inhabitants; and declaring an emergency."

H. B. No. 312, A bill to be entitled "An Act fixing the term of office of School Trustees of Independent School Districts, whether created under General Law or by Special Act of the Legislature, having one hundred thousand (100,000) or more scholastics according to the last official scholastic census and wherein there may be situated a city having a population of five hundred seventy-five thousand (575,000) or more, according to the 1950 Federal census, and having a board of seven (7) trustees; providing that in all such School Districts, Trustees shall be voted upon and elected separately for positions on said Board of Trustees, and prescribing the date of termination of office for the said members already elected for these said positions on any such Board of Trustees in any such School District; providing the manner and method of electing Trustees thereafter in any such District, for the date of assuming office, and for the official ballot for use in such Trustees elections, and the time within which and the



manner in which a person desiring to become a candidate for election shall give notice of his or her candidacy as the case may be, and the time and manner for certifying a party nominee; providing further that no candidate in any such election shall be eligible to have his or her name placed on the official ballot for more than one position to be filled at any such election; and further providing that at any such election each voter shall vote for only one candidate for each such position and that the candidate receiving the highest number of votes for each such respective position voted upon at any such election shall be entitled to serve as Trustee on said Board, holding the position thereon to which he or she, as the case may be, shall have been elected; providing further for the organizing of the said Board of Trustees at the first January meeting after the November election; providing further for the filling of vacancy on the Board of Trustees of the said School District; providing for the manner and method of giving notice of both regular and special elections for Trustees in all Independent School Districts within the terms of this Act; and further providing for the manner of conducting both regular and special elections for Trustees in all Independent School Districts within this Act; further providing that all laws and parts of laws, both General and Special, insofar only as they may be in conflict herewith, are hereby repealed."

H. B. No. 278, A bill to be entitled "An Act amending Article 1934A-14 of the Revised Civil Statutes relating to the County Judges authorizing a stenographer or clerk in any county having a population of not more than ten thousand one hundred (10,100) and not less than ten thousand and fifty (10,050) inhabitants according to the last preceding Federal Census of 1950; regulating the salary of the same; providing for payment of salary; providing for removal; and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act governing the taking of fish and minnows from the public, fresh waters of Wise County; providing means and methods by which fish may be taken from said waters with certain exceptions; providing a penalty for the violation of this Act; repeal-

ing conflicting laws; and declaring an emergency."

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Senate Resolution 94

Senator Nokes offered the following resolution:

Whereas, We are honored to have with us today, the Honorable Thos. R. Bond of Terrell; and

Whereas, Judge Bond is a former District Judge of the 86th Judicial District, and has been a leading member of the Bar in Kaufman County for many years; and

Whereas, Judge Bond is a former member of the House of Representatives, where he served with honor and distinction; now, therefore, be it

Resolved, That Judge Thos. R. Bond be extended a hearty welcome to the Texas Senate; and that he be given the privilege of the floor for the day.

The resolution was read and was adopted.

#### Senate Resolution 95

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have in the gallery Mr. M. R. Barney and his Government Class from Weatherford College, Weatherford, Texas; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

#### Senate Resolution 96

Senator Hardeman offered the following resolution:

Be it Resolved, By the Senate of Texas, that at such times as the Senate may direct there shall be prepared local and uncontested calendars, which calendars shall be prepared by a committee of five appointed by the Lieutenant Governor.

No bills or resolutions shall be placed on such calendar which contain appropriations or create new departments or subdivisions of departments, except purely local bills where the expenditure is not from State funds.

No bills or resolutions which the committee feels might create a controversy shall be placed on such calendar. Any bill or resolution on such calendar shall not be considered if as many as three members present object to such consideration.

The calendar shall be placed on the desk of the members at least six hours before any such session. The committee may name a time after which applications for a place on the calendar may not be made.

The committee shall not consider any bills unless a printed copy of such bill or the bill itself is presented to the committee.

The resolution was read.

On motion of Senator Hardeman, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Motion Not To Print

Senator Kelly of Tarrant asked unanimous consent that H. B. No. 352 be not printed.

There was no objection offered.

#### House Bill 352 on Second Reading

Senator Kelly of Tarrant moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 352 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Absent

Moore

Absent—Excused

Ashley

Weinert

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 352, A bill to be entitled "An Act authorizing district judges and criminal district judges to continue grand juries in session for successive terms not to exceed one year; validating indictments returned after the expiration of the original term; etc.; and declaring an emergency."

The bill was read second time.

Senator Kelly of Tarrant offered the following committee amendment to the bill:

Amend Section One, of said bill by inserting in the first sentence thereof, after the first comma therein, the words, "in a county having two or more criminal district courts."

The committee amendment was adopted.

On motion of Senator Kelly of Tarrant, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 352 on Third Reading

Senator Kelly of Tarrant moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 352 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

**Absent**

Moore

**Absent—Excused**

Ashley

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

**Absent**

Moore

**Absent—Excused**

Ashley

Weinert

**House Bills on First Reading**

The following bills received from the House were read first time and referred to the committees indicated:

H. B. No. 313—To Committee on Game and Fish.

H. B. No. 370—To Committee on Educational Affairs.

H. B. No. 272—To Committee on Oil, Gas and Conservation.

H. B. No. 25—To Committee on Water Rights, Irrigation and Drainage.

H. B. No. 189—To Committee on Insurance.

H. B. No. 251—To Committee on Civil Jurisprudence.

H. B. No. 347—To Committee on Water Rights, Irrigation and Drainage.

H. B. No. 292—To Committee on Water Rights, Irrigation and Drainage.

H. B. No. 242—To Committee on State Affairs.

H. B. No. 319—To Committee on State Affairs.

H. B. No. 253—To Committee on Water Rights, Irrigation and Drainage.

**Senate Bill 126 with House Amendments**

Senator Fuller called S. B. No. 126 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fuller moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

**Absent**

Moore

**Absent—Excused**

Ashley

Weinert

**House Bill 215 on Second Reading**

Senator Bell moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 215 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—27**

Aikin	Bullock
Bell	Carney
Bracewell	Carter

Colson	Moffett
Corbin	Moore
Fuller	Nokes
Hardeman	Parkhouse
Hudson	Phillips
Kelley of Hidalgo	Russell
Kelly of Tarrant	Strauss
Lane	Tynan
Lock	Vick
Martin	Wagonseller
McDonald	

**Absent**

Hazlewood	Shofner
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**Absent—Excused**

Ashley	Weinert
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 215, A bill to be entitled "An Act creating Road District No. 4-C of Atascosa County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof; making it a body corporate and taxing district, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 215 on Third Reading**

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 215 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

**Absent**

Shofner

**Absent—Excused**

Ashley	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

**Absent**

Shofner

**Absent—Excused**

Ashley	Weinert
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**House Bill 97 on Second Reading**

Senator Nokes moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 97 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Strauss
Hudson	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller
Lock	

**Absent**

Bell	Kelley of Hidalgo
Hazlewood	Shofner

**Absent—Excused**

Ashley	Weinert
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 97, A bill to be entitled "An Act amending Section 15 of House Bill 611, Chapter 562, page 914, General Laws of the State of Texas, Acts, Regular Session, 47th Legislature, 1941, as amended, being Section 15 of Article 695c, Vernon's Texas Civil Statutes; providing for examinations by licensed optometrists as well as ophthalmologists or physicians skilled in the treatment of diseases of the eye for the purpose of establishing blindness for applicants and/or recipients of Aid to the Needy Blind; providing a repealing clause, a saving clause, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 97 on Third Reading

Senator Nokes moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hudson	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller

#### Absent

Hazlewood	Lock
Kelley of Hidalgo	

#### Absent—Excused

Ashley	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—27

Aikin	Bracewell
Bell	Bullock

Carney	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Hudson	Shofner
Kelly of Tarrant	Strauss
Lane	Tynan
Lock	Vick
Martin	Wagonseller
McDonald	

#### Absent

Hazlewood	Kelley of Hidalgo
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#### Absent—Excused

Ashley	Weinert
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#### House Bill 123 on Second Reading

Senator Parkhouse moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 123 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

#### Absent

Hazlewood	Shofner
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#### Absent—Excused

Ashley	Weinert
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 123, A bill to be entitled "An Act to create an additional County Criminal Court for Dallas County, Texas; prescribing the jurisdiction of said Court; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 123 on Third Reading**

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

**Absent**

Hazlewood	Shofner
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**Absent—Excused**

Ashley	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—27**

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

**Absent**

Hazlewood	Shofner
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**Absent—Excused**

Ashley	Weinert
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**Bills and Resolution Signed**

The President signed in the pres-

ence of the Senate, after the captions had been read, the following enrolled bills and resolution:

S. B. No. 24, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 491, Acts of the Fifty-first Legislature, Regular Session, 1949, so as to more clearly define the boundaries of Road District Number 18, of Jackson County, Texas; validating the election held on October 29, 1949, authorizing the issuance of road bonds of said Road District Number 18; and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act validating actions of governing bodies of school districts in constructing improvements on real estate leased to such school districts; validating all bonds issued or authorized by districts to construct such improvements, proceedings relating to the issuance of bonds, and all such leases; providing that school districts which prior to the effective date of this Act entered into leases whereby real estate has been leased to such districts may issue tax on revenue bonds with respect to such leased real estate for the purpose provided by and in accordance with the general laws relating to school districts; providing that this Act shall not apply to districts the organization, bonds, or leases of which are now involved in litigation; providing a severability clause; and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act governing the taking of fish and minnows from the public, fresh waters of Wise County; providing means and methods by which fish may be taken from said waters with certain exceptions; providing a penalty for the violation of this Act; repealing conflicting laws; and declaring an emergency."

S. B. No. 206, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or secretary in any county having a population of not less than 46,000 inhabitants and not more than 46,500 inhabitants according to the preliminary announcement of population by the District Census Supervisor for the year 1950; etc.; and declaring an emergency."

H. B. No. 3, A bill to be entitled "An Act amending Article 195 of the Revised Civil Statutes of Texas, 1925, apportioning the State of Texas into

Representative Districts; naming the counties composing each district; providing the number of Representatives to be elected in each district; providing for returns of elections and issuance of certificates of election; providing for severability; repealing all laws in conflict herewith; and declaring an emergency."

H. C. R. No. 33, Memorializing Congress to provide an adequate system of defenses along the Gulf of Mexico.

#### Adjournment

On motion of Senator Hardeman, the Senate at 12:07 o'clock p. m., adjourned until 10:30 o'clock a. m. on Monday, March 12, 1951.

#### Record of Votes

Senators Phillips and Corbin asked to be recorded as voting "Nay" on the motion to adjourn.

### THIRTY-FOURTH DAY

(Monday, March 12, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Moffett
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Absent

Moore

Absent—Excused

Bracewell	Weinert
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and

by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 8, 1951, was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Bullock.

Senator Bracewell was granted leave of absence for today on account of illness on motion of Senator Hudson.

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Hardeman.

#### Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
March 12, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 161 by vote of 127 ayes, 0 noes.

H. B. No. 352, The House has concurred in Senate amendments to House Bill No. 352 by vote of 125 ayes, 0 noes.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Reports of Standing Committees

Senator Hudson submitted the following report:

Austin, Texas,  
March 12, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred Senate Bill 307, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HUDSON, Chairman.

Senator Aikin submitted the following report: